



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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JUNE 16, 2014

Regular meeting of the City Council held on Monday, JUNE 16, 2014 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Pope, Oram, Ossing, Robey, Delano, Page, Elder, Tunnera, Irish, and Landers. Absent: Clancy. Meeting adjourned at 9:07 PM.

ORDERED: That the Mayor and City Council President presented City Scholarships certificates to the following students, **FILE**; adopted.

Shannon Boyle
106 Preston Street
Assabet Valley High School
Will attend Assumption College

Christopher Gadd
205 Church Street
Marlborough High School
Will attend Hofstra University

Cassidy Grace
165 Roundtop Road
Marlborough High School
Will attend UMass Amherst

Matthew Thall
49 Overlook Drive
Marlborough High School
Will attend Western New England College

Jillian Webb
27 Redbud Way #23
Marlborough High School
Will attend Framingham State University

ORDERED: That the recognition of the following new Firefighter Recruits, **FILE**; adopted.

Joseph Bisazza
Dana Soroka
Craig Ahern
Ryan DeGiacomo

ORDERED: That the minutes of the City Council meeting MAY 19, 2014, **TABLED**; adopted.

Councilor Oram abstained

ORDERED: That the minutes of the City Council meeting JUNE 2, 2014, **FILE**; adopted.

ORDERED: That the **PUBLIC HEARING** On the Application for Special Permit from Robert Stauber of Gensler, on behalf of Bank of America, to modify existing bank drive-thru from the existing condition of 1 ATM lane 1 VAT drive-up teller lane and 1 by-pass lane to 2 A TM lanes and 1 by-pass lane, 223 East Main St., Order No. 14-1005785, all were heard who wish to be heard, hearing recessed at 8:12 PM.

Councilor Delano abstained

Councilors Present: Pope, Ossing, Robey, Oram, Page, Elder, Tunnera, Irish, & Landers.

Absent: Clancy

ORDERED: That the **PUBLIC HEARING** On the Application for Special Permit from Michael Almada of TRM, on behalf of T-Mobile to modify antennas at existing wireless communication facility at 860 Boston Post Rd., Order No. 14-1005820, all were heard who wish to be heard, hearing recessed at 8:16 PM.

Councilors Present: Pope, Ossing, Robey, Oram, Delano, Page, Elder, Tunnera, Irish, & Landers.

Absent: Clancy

ORDERED: That the **PUBLIC HEARING** On the Application for Special Permit from Michael Almada of TRM, on behalf of T-Mobile to modify antennas at existing wireless communication facility at 460 Boston Post Rd., Order No. 14-1005821, all were heard who wish to be heard, hearing recessed at 8:20 PM.

Councilors Present: Pope, Ossing, Robey, Oram, Delano, Page, Elder, Tunnera, Irish, & Landers.

Absent: Clancy

ORDERED: That the **PUBLIC HEARING** On the Petition of Teleport Communications America, LLC to install one four inch PVC conduit at an approximate depth of forty-eight inches, from existing Verizon manhole #608 on Donald Lynch Blvd., to the property line of the Mall at Solomon Pond, LLC; a distance of approximately twenty feet, Order No. 14-1005822, all were heard who wish to be heard, hearing recessed at 8:22 PM.

Councilors Present: Pope, Ossing, Robey, Oram, Delano, Page, Elder, Tunnera, Irish, & Landers.

Absent: Clancy

ORDERED: That the **PUBLIC HEARING** On the Petition of Teleport Communications America, LLC to install two four inch PVC conduits at an approximate depth of forty-eight inches, from existing Verizon manhole at 200 Donald Lynch Blvd., to utility pole #69 on Bigelow St.; a distance of approximately seven hundred twenty seven feet, Order No. 14-1005823, all were heard who wish to be heard, hearing recessed at 8:23 PM.

Councilors Present: Pope, Ossing, Robey, Oram, Delano, Page, Elder, Tunnera, Irish, & Landers.

Absent: Clancy

ORDERED: That the Communication from the Mayor re: Amended language for Renewal of Revolving Accounts per Finance Committee, **MOVED TO REPORTS OF COMMITTEES**; adopted.

ORDERED: That the Gift Acceptance in the amount of \$1,000.00 from David Balducci, owner of McDonald's Restaurant, to the City Scholarship Fund, **APPROVED**; adopted.

ORDERED: That the Appointment of Renee Perdicaro to the Cultural Council for a term to expire three years from date of City Council approval, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Communication from City Solicitor Rider re: T-Mobile Special Permit, 75 Donald Lynch Boulevard, in proper legal form, Order No. 14-1005760A, **MOVED TO REPORTS OF COMMITTEE**; adopted.

ORDERED: That the Communication from Mark Donahue of Fletcher Tilton on behalf of Chick-Fil-A, Inc., re: to extend time limitations on application for Special Permit, to construct and operate an approximate 4,876 square foot single story building with drive-thru service restaurant at 230 Boston Post Road West, to September 9, 2014 until 5:00 PM, Order No. 14-1005761B, **APPROVED**; adopted.

ORDERED: That the Communication from NStar re: request to reschedule Public Hearing on the Petition to install 105' of 4" plastic gas main as a system improvement to 31 Wellington Street, Order No. 14-1005848, **RESCHEDULED TO JULY 21, 2014**; adopted.

ORDERED: That the Minutes, Fort Meadow Commission, September 19, 2013, **FILE**; adopted.

ORDERED: That the Minutes, Board of Health, April 1, 2014, **FILE**; adopted.

ORDERED: That the Minutes, License Board, April 30, 2014, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, May 19, 2014, **FILE**; adopted.

ORDERED: That the following CLAIM, refer to the **LEGAL DEPARTMENT**; adopted.

A. David Benway, 25 Flagg Road, other property damage and/or personal injury

Reports of Committees:

Councilor Delano reported the following out of the Operations and Oversight Committee:

Convened: 6:40 PM

Adjourned: 6:44 PM

Present: Operations and Oversight Committee Members Councilors Delano and Landers; Chairman Elder (Absent)

Also Present: Mayor Arthur Vigeant; Gary Brown, Director of Veteran's Services

Order No. 14-1005782 - Communication from Mayor Vigeant re: Inter-municipal Agreement - Town of Sudbury, Regional Veteran's District with the Town of Sudbury, with inter-municipal agreement (IMA) for the next two (Fiscal Years 2015 and 2016) fiscal years. The Mass Department of Veterans' Services has again endorsed this effort and encouraged this two-year agreement.

Reports of Committees Cont'd:

The Operations and Oversight Committee reviewed the Mayor's letter dated April 25, 2014 requesting to enter into a two year agreement with the Town of Sudbury to continue the Regional Veteran's District started the previous year. The current inter-municipal agreement (IMA) with the Town of Sudbury has gone well between the two communities and Mayor Vigeant and Director of Veteran's Services Gary Brown believe the agreement should continue.

Recommendation of the Operations and Oversight Committee to is to approve the inter-municipal agreement (IMA) with the Town of Sudbury for a Regional Veteran's District. **Motion made by Councilor Landers, seconded by Councilor Delano, to approve, Carries 2-0 (Elder absent).**

Motion made by Councilor Landers, seconded by Councilor Delano, to adjourn.

Councilor Robey reported the following out of the Wireless Communications Committee:

Present: Chairman Robey; Wireless Communications Committee members Councilors Clancy and Oram. Also present were Amber Debole from TRM and City Solicitor Donald Rider. The meeting convened at 7:20 PM.

The Committee had met on May 27th and started discussing Order No. 14-10057960, an Application for a Special Permit by TRM on behalf of T-Mobile Northeast, LLC for minor upgrades to existing telecom site which consists of replacing all 9 existing antennas, adding a cable divider, fiber jumpers and hybrid cable to an existing tower at 75 Donald Lynch Blvd. After some discussion on the Applicant's Proposed Decision, the applicant, requested the committee table the discussion to get clarification on recent Congressional laws related to wireless communication sites. After consulting with legal counsel, committee voted to table, 3-0.

On June 11, 2014, the Committee met to continue discussion on the Application for a Special Permit. A motion was made to remove the item from the table; the motion carried 3-0. Discussion of the Proposed Decision continued with amendments made to clarify the original Special Permit number, the work being completed and the plans being used, that the Public Hearing was opened and closed in one evening, and that the applicant shall pay to the Open space Account an annual payment of \$1,500.00, specifying the payment date.

The Committee voted 3-0 to recommend approval of the modification to the Special Permit as amended and to ask for a Suspension of the Rules at the June 16, 2014 meeting to refer the Decision to the City Solicitor to be put in proper legal form.

The Committee voted 3-0 to also ask for a Suspension of the Rules for the City Council to vote on this matter in one meeting due to time constraints required under a Declaratory Ruling by the Federal Communications Commission to clarify Section 332(c)(7)(B) of the Communications Act of 1934, as amended, which states a State or local government must act within 90 days of receiving an application for a collocation (this application was received at the City Clerk's office on March 24, 2014 and 90 days would be June 22, 2014).

Motion made and seconded to adjourn – carries 3-0

Meeting Adjourned: 7:45 PM

Recorded by: Chairman Robey

Reports of Committees Cont'd:

Councilor Ossing report the following out the Finance Committee:

Present: Chairman Ossing; Finance Committee members Councilors Robey, Oram Elder, and Irish. Councilors Pope, Landers and Delano were also in attendance. The meeting convened at 7:01 PM.

1. Order No. 14-1005811 – Transfer \$1,640,000.00 from the Undesignated Fund Account to Snow and Ice Accounts. The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting the transfer of \$1,640,000.00 from the Undesignated Fund Account to the following three snow and ice accounts:

- \$265,000.00 – Overtime Snow and Ice
- \$734,000.00 – Snow Removal
- \$641,000.00 – Operating Expenses

The Finance Committee voted 5 – 0 to approve the transfers.

2. Order No. 14-1005812 – Year End Intra-Department Transfer Requests for \$298,241.07. The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting \$298,241.07 in year end intra-department transfers to cover remaining expenses and balance accounts for FY14. **The Finance Committee voted 5 – 0 to approve the intra-department transfers.**

3. Order No. 14-1005813 – Transfer \$230,000.00 to Cover Electricity Expenses. The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting a transfer of \$230,000.00 from various accounts to cover unanticipated expenses in the electrical utility line item. **The Finance Committee voted 5 – 0 to approve the transfers.**

4. Order No. 14-1005814 – Transfer \$32,500.00 from Undesignated Funds to Open Space Stabilization. The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting the transfer of \$32,500.00 from the Undesignated Funds account to the Open Space Stabilization account for the funds received from the FY13 wireless antenna receipts. **The Finance Committee voted 5 – 0 to approve the transfer.**

5. Order No. 14-1005815 – Transfer \$850.00 from Reserve for Salaries to Executive Secretary. The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting an \$850.00 transfer from the Reserve for Salaries to the Executive Secretary account to fund the step increase that was not included in the FY14 budget. **The Finance Committee voted 5 – 0 to approve the transfer.**

6. Order No. 14-1005816A/B – Grant for \$200,000.00 to Renovate Stevens Park. The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting the acceptance of a \$200,000.00 grant to renovate Stevens Park. **The Finance Committee approved the following 5 - 0:**

- **The order to transfer care, custody and management of Stevens Park to the Parks and Recreation Commission for park purposes**
- **The resolution to accept the \$200,000.00 grant to renovate Stevens Park**

Reports of Committees Cont'd:

7. Order No. 14-1005817 – Grant for \$45,451.00 to Purchase an Eight Passenger Handicapped Accessible Van. The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting the approval of a \$45,451.00 grant to fund 80% of the cost of an eight passenger handicapped accessible van. The City will cover the remaining 20% (\$11,363.00) from existing accounts. **The Finance Committee voted 5 – 0 approve the grant and expenditure of funds to purchase the van.**

8. Order No. 14-1005819 – Renew Public Safety Revolving Fund for FY15. The Finance Committee reviewed the Mayor's letter dated May 15, 2014 requesting the renewal of the Public Safety Revolving Fund for FY15. **The Finance Committee voted 5 - 0 to approve the renewal of the Public Safety Revolving Fund. The Mayor will confirm with the City Solicitor that revolving funds do not require an expenditure limit and report back the Council at the June 16, 2014 meeting.**

9. Order No. 14-1005839 – Transfer \$2,000,000.00 from Undesignated Funds to the Stabilization Account (undesignated) and OPEB Stabilization Account. The Finance Committee reviewed the Mayor's letter dated May 29, 2014 requesting the transfer of \$2,000,000.00 from the Undesignated Funds account to the following accounts:

- \$1,000,000.00 OPEB Stabilization account to strengthen the cities financial foundation to fund OPEB obligations,
- \$1,000,000.00 Undesignated Stabilization for future capital purchases

The Finance Committee voted 5 – 0 to approve the transfers.

10. Order No. 14-1005840 – Transfer \$513,915.00 from the Economic Development Account to Fund MEDC for FY15. The Finance Committee reviewed the Mayor's letter dated May 29, 2014 requesting the transfer of \$513,915.00 from the Economic Development account to fund MEDC for FY15. The funds are from the local options hotel tax. **The Finance Committee voted 4 – 1 (Councilor Oram opposed) to approve the transfer.**

11. Order No. 14-1005841 – Transfer \$143,462.00 from the Reserve for Salaries Account to fund Comp Time Payout. The Finance Committee reviewed the Mayor's letter dated May 29, 2014 requesting the transfer of \$143,462.00 from the Reserve for Salaries account to fund the comp time payout to different bargaining units throughout the city. **The Finance Committee voted 5 – 0 to approve the transfer.**

Reports of Committees Cont'd:

12. Order No. 14-1005842 – Renew Sligo Hill Revolving Fund for FY15. The Finance Committee reviewed the Mayor's letter dated May 29, 2014 requesting the renewal of the Sligo Hill Revolving Fund for FY15. **The Finance Committee voted 5 - 0 to approve the renewal of the Sligo Hill Revolving Fund with the following changes:**

- **Mayor to change the language to reflect the Department of Public Works utilizes the funds and DPW Commissioner authorizes and approves expenditures and prepares year end reports.**
- **Add the following language “no more than \$150,000.00 shall be expended during FY15 unless otherwise authorized by the City Council and the Mayor”.**
- **The City Council authorizes the expenditure of \$200,000.00 plus the \$270,745.00 in encumbered funds to be used with the grant for \$200,000.00 to renovate Stevens Park. These funds will be expended in FY14/15.**
- **Mayor to provide a clean copy of the order to reflect the above changes at the June 16, 2014 City Council Meeting.**

13. Order No. 14-1005843 – Renew Parks and Recreation Revolving Fund for FY15. The Finance Committee reviewed the Mayor's letter dated May 29, 2014 requesting the renewal of the Parks and Recreation Revolving Fund for FY15. **The Finance Committee voted 5 - 0 to approve the renewal of the Parks and Recreation Revolving Fund with the following changes:**

- **Add the following language “no more than \$150,000.00 shall be expended during FY15 unless otherwise authorized by the City Council and the Mayor”.**
- **Mayor to provide a clean copy of the order to reflect the above change at the June 16, 2014 City Council Meeting.**

14. Order No. 14-1005845 – FY15 Snow & Ice Deficit Spending. The Finance Committee reviewed the Mayor's letter dated May 29, 2014 requesting the City Council approve an order authorizing the City to incur liability and make expenditures in excess of appropriation for snow and ice removal. The Finance Committee amended the order to limit the approval of expenditures to \$1,000,000.00 above the approved FY15 budgeted amount of \$500,000.00 for snow and ice removal for fiscal year 2015. **The Finance Committee voted 5 – 0 to approve the amended order.**

The Finance Committee agreed to support suspending the rules at the June 16, 2014 City Council meeting for all 14 items above.

The Finance Committee adjourned at 9:23 PM.

Suspension of the Rules requested – granted

ORDERED:

**DECISION ON AN APPLICATION TO MODIFY
SPECIAL PERMIT****T-MOBILE NORTHEAST LLC (OMNIPOINT HOLDINGS, INC.)**

The City Council of the City of Marlborough hereby GRANTS the application to modify Special Permit No. 98-7378 submitted by T-Mobile Northeast LLC, having its principal place of business at 12920 SE 38th Street, Bellevue, WA 98006, as provided in this Decision and subject to the following Findings of Fact and Conditions.

EVIDENCE

1. The applicant is T-Mobile Northeast LLC, with its principal office located at 12920 SE 38th Street, Bellevue, WA 98006 (the “Applicant”).
2. Previously, the City Council granted to Omnipoint Holdings, Inc., Division of VoiceStream Wireless, Inc., a Special Permit to locate and operate a wireless communications facility located at 75 Donald Lynch Boulevard, Marlborough, MA (the “Original Special Permit”). In 2006, Omnipoint Holdings, Inc. converted into a limited liability company named T-Mobile Northeast LLC. The Original Special Permit is recorded at the Middlesex South District Registry of Deeds at Book 28457, Page 265.
3. Through its Application for a Special Permit to Modify an Existing Wireless Communication Facility (the “Application”), the Applicant seeks permission to allow replacement of nine (9) panel antennas currently located on the existing wireless communication facility with six newer models. Applicant also seeks to add one (1) fiber optic cable (1” O.D.), fiber jumpers and a hybrid cable to the existing wireless communication facility (the “Proposed WCF Project”), all substantially as depicted on a set of plans entitled “Site Name: BO139/75 Lynch Blvd. (ATT), Site Number: 4DE5139A, 75 Donald Lynch Boulevard, Marlboro, MA 01752,” by AEG Advanced Engineering Group, PC, 500 North Broadway, East Providence, RI 02914, dated 2/3/14 and revised 2/26/14, a copy of which was provided in the Application (the “Plans”).
4. The location for the proposed modification of the Original Special Permit is 75 Donald Lynch Boulevard in Marlborough, further described as Marlborough Assessors Map 13, Parcel 2 (the “Site”). The Site is owned by Albert D. Bombard. The Applicant is a licensee of AT&T at the Site.
5. The Proposed WCF Project is located in the Limited Industrial Zoning District. Wireless communication devices are allowed by grant of special permit in the Limited Industrial Zoning District.
6. The modification of the Original Special Permit is being sought pursuant to Article VI, Section 650-25 and Article VIII, Section 650-59 of the Zoning Code of the City of Marlborough.

7. Pursuant to the Rules and Regulations of Application for Special Permit ("Rules and Regulations"), the Building Inspector, on behalf of the City Planner, certified that the Special Permit application materials are complete and conform to said Rules and Regulations and that the Plans conform in all respects to the City Code.
8. The Applicant has complied with all of the applicable rules of the Rules and Regulations.
9. The City of Marlborough City Council held a public hearing on the Proposed WCF Project on May 5, 2014, for which proper notice had been published and for which proper notice had been given to all parties entitled to notice under the law.
10. The Applicant presented oral testimony and demonstrative evidence at the public hearing, demonstrating that the Proposed WCF Project meets all the applicable Special Permit criteria of Article VI, Section 650-25 and Article VIII, Section 650-59.
11. The Applicant provided further oral testimony and demonstrative evidence to the City Council's Wireless Communications Committee regarding the Proposed WCF Project's compliance with the applicable Special Permit criteria.
12. The Council, in reviewing the Application, considered the Review Standards and Development Requirements, as enumerated in Article VI, Section 650-25 and Article VIII, Section 650-59 of the City of Marlborough Zoning Ordinance, applicable to the Proposed WCF Project.

**BASED UPON THE ABOVE, THE MARLBOROUGH CITY
COUNCIL MAKES THE FOLLOWING FINDINGS OF FACT
AND TAKES THE FOLLOWING ACTIONS**

- A) The Applicant has complied with all the Rules and Regulations promulgated by the Marlborough City Council pertaining to the said Application for a Special Permit.
- B) The Site is an appropriate location for the Proposed WCF Project and the Proposed WCF Project is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough when subject to the appropriate terms and conditions of this approval.
- C) The Applicant has complied with the applicable Review Standards and Development Requirements pertaining to Wireless Communications Devices, enumerated in Article VI, Section 650-25 and Article VIII, Section 650-59 of the City of Marlborough Zoning Ordinance, by siting, designing and screening its Proposed WCF Project to minimize adverse impact on the abutting neighborhood and on nearby residential properties.
- D) The Council, pursuant to its authority under M.G.L. Chapter 40A and the City of Marlborough Zoning Ordinances, **GRANTS** the Applicant a modification of the Original Special Permit (the "Modified Special Permit"), **SUBJECT TO THE FOLLOWING CONDITIONS NUMBERED 1 THROUGH 10:**

- 1) The Proposed WCF Project shall be constructed, maintained and operated according to the specifications, terms and conditions of the Application, as amended during the application/hearing process, and in compliance with the conditions of the grant of this Modified Special Permit, as well as with the conditions set forth in Chapter 650-25F of the Marlborough Zoning Ordinance.
- 2) All plans, photo renderings, site evaluations, briefs and other documentation provided by Applicant as part of the Application, as amended, are herein incorporated and become a part of this Modified Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.
- 3) Applicant agrees to all rules, regulations, ordinances and statutes of the City of Marlborough, the Commonwealth of Massachusetts and the Federal Government as they may apply to the construction, maintenance and operation of the Applicant's existing WCF.
- 4) The issuance of this Modified Special Permit is further subject to Site Plan Review in accordance with the City of Marlborough's Ordinance, prior to the issuance of an actual building permit. Any additional changes, alterations, modifications or amendments, as required by Site Plan Review, shall be further approved by using a building permit application so long as the changes or modifications fall within the scope of section 6409, and subject to Site Plan Review. No occupancy permit shall be issued until the Applicant complies with all such further conditions, if any.
- 5) Applicant shall minimize the visual impacts of the Proposed WCF Project by screening and/or color coordination as may be depicted on the Plans and other demonstrative evidence submitted as part of the Application.
- 6) The Applicant agrees to and shall pay to the City of Marlborough Open Space Account #100-2410-44515 an annual payment of One thousand five hundred dollars (\$1,500), the first payment to be due and payable at the time of the issuance of the Building Permit hereunder, and the subsequent payments to be due and payable on or immediately after January 2 of each calendar year in which the WCF referred to in this Special Permit is still in operation. Applicant shall pay an additional sum of \$500 per quarter or portion thereof after the payment due date that the Applicant has failed to make payment.

- 7) Applicant shall not utilize a permanent electrical generator, of any type, in connection with the operation of the Proposed WCF Project. Applicant shall be permitted to use a temporary electrical generator in connection with the operation of the Proposed WCF Project only in cases of power outages to the Proposed WCF Project and for purposes of routine testing and maintenance. The temporary generator shall be operated in a safe manner and the noise produced by the temporary generator shall conform to the City's noise ordinance set forth in Chapter 431 of the City Code. Batteries used in operation of the facility shall be disposed of off-site at the expense of the Applicant. If any liquid or hazardous material is used by Applicant in conjunction with the temporary generator, Applicant must employ a secondary containment system.

- 8) As soon as practicable but in any event within one (1) month after the date when a certificate of use and occupancy has been issued to the Applicant by the City of Marlborough's Building Inspector for the Proposed WCF Project, Applicant shall submit a written report to the City Council; provided, however, that if the Proposed WCF Project has not yet become operational within the one-month period after said issuance date, then the Applicant must immediately provide the City Council with written notification as to the date when the Proposed WCF Project does become operational and, further, must submit said written report within one (1) month after said operational date. The written report to the City Council shall i) provide measurements as to the actual output of radio frequency energy emitted by the Proposed WCF Project; ii) shall include a professional opinion by a qualified third party certifying that the Proposed WCF Project fully complies with all applicable health and safety standards; and iii) shall provide measurements of the actual output of the total radio frequency energy being emitted by all Wireless Communications Facilities (as defined in Section 650-25 of the Marlborough Zoning Ordinance) then located at the Site. The Applicant agrees to and shall operate its Proposed WCF Project in compliance with all applicable health and safety standards. In the event that there are any changes in or upgrades to the Proposed WCF Project that may increase the actual output of radio frequency energy emitted by the Proposed WCF Project, the Applicant shall submit a letter to the City Council as soon as practicable but in any event within one (1) month after the date of completion of those changes or upgrades. The letter shall i) state what the changes or upgrades are; ii) shall provide measurements specifying how the actual output of radio frequency energy emitted by the Proposed WCF Project has been increased; iii) shall provide measurements of the actual output of all radio frequency energy being emitted by all hereinbefore-defined Wireless Communications Facilities then located at the Site; and iv) shall include a professional opinion by a qualified third party certifying that the Applicant's changes or upgrades have not caused the total radio frequency energy being emitted by all hereinbefore-defined Wireless Communications Facilities then located at the Site to exceed any applicable health and safety standards.

- 9) In accordance with the provisions of M.G.L. c. 40A, § 11, the Applicant at its expense shall record this Modified Special Permit in the Middlesex South District Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Modified Special Permit has elapsed with no appeal having been filed, and before the Applicant has applied to the Building Inspector for a building permit concerning the Proposed WCF Project. Applicant shall provide a copy of the recorded Modified Special Permit to the Building Inspector’s office when the Applicant applies for the building permit, as well as a copy to the City Council’s office and to the City Solicitor’s office.

- 10) All conditions set forth in the Original Special Permit shall apply to this Modified Special Permit.

Yea: 10 - Nay: 0 – Absent: 1

Yea: Delano, Page, Elder, Tunnera, Irish, Landers, Pope, Oram, Ossing, & Robey

Absent: Clancy

Suspension of the Rules requested – granted

ORDERED: That the Snow and Ice transfer request in the amount of \$1,640,000.00 which moves funds from Undesignated to Overtime-Snow & Ice, Snow Removal and Operating Expenses, **APPROVED**; adopted.

DEPT:		DPW				FISCAL YEAR:		2014		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$4,851,941.00	\$1,640,000.00	10000	35900	Undesignated Fund	\$265,000.00	14001203	51390	Overtime-Snow & Ice	-\$264,378.63	
	Reason:	To fund the snow & ice deficit for FY14								
					\$734,000.00	14001206	52960	Snow Removal	-\$733,769.51	
	Reason:									
					\$641,000.00	14001206	57040	Operating Expenses	-\$632,509.13	
	\$1,640,000.00	Total			\$1,640,000.00	Total				

Suspension of the Rules requested – granted

ORDERED: That the Year-end Intra-Departmental transfer requests as noted on the attached spreadsheets to cover remaining expenses and balance accounts for FY14, **APPROVED;** adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Police				FISCAL YEAR:		FY 2014		
FROM ACCOUNT:					TO ACCOUNT:					
Available	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available	
Balance									Balance	
\$15,049.87	\$5,475.00	12100003	51920	Sick Leave Buy Back	\$5,475.00	12100001	50140	Police Chief Salary	\$14,154.32	
Reason:		Money available for transfer				Money needed to pay retro pay and new contract				
	\$5,475.00	Total			\$5,475.00	Total				

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		FIRE				FISCAL YEAR:		FY14		
FROM ACCOUNT:					TO ACCOUNT:					
Available	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available	
Balance									Balance	
\$18,161.84	\$98.07	12200003	51430	LONGEVITY	\$98.07	12200003	51450	NIGHT SHIFT DIFFERENTIAL	\$9,058.89	
Reason:		Transfer is available due to retirements				Funds needed to complete FY14				
	\$98.07	Total			\$98.07	Total				

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Police				FY:		2014		
FROM ACCOUNT:					TO ACCOUNT:					
Available	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available	
Balance									Balance	
\$15,049	\$2,500.00	12100003	51920	Sick Leave Buy-Back	\$2,500.00	12100003	51490	Holiday	\$27,432	
Reason:		Account will have surplus - fewer ofcs. buying back				Will need additional amount for last holiday of yr.				
\$15,049	\$1,000.00	12100003	51920	Sick Leave Buy-Back	\$1,000	12100006	55882	Meals for Prisoners	\$563	
Reason:		Account will have surplus - fewer ofcs. buying back				More long term prisoners than expected				
	\$3,500.00	Total			\$3,500.00	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:	Public Facilities			DATE:	5/12/2014	FY:	2014		
		FROM ACCOUNT:				TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$4,830	\$1,105.00	11920003	51430	Longevity	\$1,105.00	11920001	50292	Bldg Maint Craftsman	\$25,989
	Reason:	Funds available				To cover salaries thru year end			
\$29,596	\$8,500.00	11920003	50560	Custodian	\$8,500.00	11920006	53999	Other Services	\$7
	Reason:	Unfilled position				Renovations at DPW			
\$2,027	\$2,000.00	11920006	52250	Heating oil	\$2,000.00	11920006	53999	Other Services	\$7
	Reason:	Decrease in use				Renovations at DPW			
\$39,901	\$20,000.00	11920006	52200	Natural Gas	\$20,000.00	11920006	53999	Other Services	\$7
	Reason:	Decrease in cost per therm				Renovations at DPW			
\$48,840	\$15,000.00	11920006	53420	Telephone Services	\$15,000.00	11920005	54310	Building Repairs	\$2
	Reason:	Decrease in verizon data lines				Renovations at Walker Building			
	\$46,605.00	Total			\$46,605.00	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:	Department of Public Works			FISCAL YEAR:	2014				
		FROM ACCOUNT:				TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$55,612	\$425	60085006	55980	West WWTF	\$425	60080003	51470	Interim Foreman	\$24
	Reason:	Surplus anticipated				Anticipated cost to cover Chemist position scheduled time off.			
\$55,612	\$2,000	60085006	55980	West WWTF	\$2,000	60085006	52463	Rep/Maint. Westerly Plant	\$920
	Reason:	Surplus anticipated				Anticipated cost to cover supplies for maintenance.			
\$55,612	\$4,000	60085006	55980	West WWTF	\$4,000	60085006	54340	Maint. Machinery	\$603
	Reason:	Surplus anticipated				Anticipated cost to cover supplies for preventive maintenance.			
\$44,700	\$24,700	60080004	53110	Legal Services	\$24,700	60080006	55660	Pumping Station Main.	\$564
	Reason:	Anticipated surplus				Anticipated cost for repair/maint. at Hosmer Street Pump Station because of pump failure.			
\$44,700	\$20,000	60080004	53110	Legal Services	\$20,000	61090006	54620	Maintenance-Trenches	\$14,515
	Reason:	Anticipated surplus				Anticipated cost to permanently repair water trenches due to high number of winter water breaks.			
	\$51,125	Total			\$51,125	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$77,794	\$77,794	61090006	52320	Water-MWRA	\$77,794	61090006	55740	Water Meters	\$0
				Reason: Anticipated surplus				Replacement for stopped residential meters.	
\$137,956	\$57,000	61090001	50740	Equipment Operators	\$57,000	61090006	54620	Maintenance-Trenches	\$14,515
				Reason: Surplus due to vacancies.				Anticipated cost to permanently repair water trenches due to high number of winter water breaks.	
\$1,402	\$1,402	61090003	51920	Sick Leave Buy Back	\$1,402	61090006	54620	Maintenance-Trenches	\$14,515
				Reason: Anticipated surplus				Anticipated cost to permanently repair water trenches due to high number of winter water breaks.	
\$1,590	\$340	61090003	51940	Clothing Allowance	\$340	61090006	54620	Maintenance-Trenches	\$14,515
				Reason:				Anticipated cost to permanently repair water trenches due to high number of winter water breaks.	
\$800	\$800	61090004	53174	Contract Services/Lab Testing	\$800	61090006	54620	Maintenance-Trenches	\$14,515
				Reason:				Anticipated cost to permanently repair water trenches due to high number of winter water breaks.	
	\$137,336	Total			\$137,336	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$3,600	\$3,600	61090006	54280	Water Billings	\$3,600	60080006	55660	Pumping Station Main.	\$564
				Reason: Anticipated surplus				Anticipated cost to cover required repair/maintenance at several sewer pump stations.	
\$800	\$800	60080003	51440	Educational Incentives	\$800	60080006	55660	Pumping Station Main.	\$564
				Reason: Anticipated surplus				Anticipated cost to cover required repair/maintenance at several sewer pump stations.	
\$14,489	\$7,000	60080001	50580	Assistant Chemist	\$7,000	60080006	55660	Pumping Station Main.	\$564
				Reason: Anticipated surplus				Anticipated cost to cover required repair/maintenance at several sewer pump stations.	
\$350	\$350	61090003	51440	Educational Incentives	\$350	61090003	51990	Meal Allowances	\$0
				Reason: Anticipated surplus				100% expended due to high volume of water breaks over winter.	
\$30,000	\$30,000	61090006	55700	Water Treatment Plant	\$30,000	60080006	55660	Pumping Station Main.	\$564
				Reason: Anticipated surplus				Anticipated cost to cover required repair/maintenance at several sewer pump stations.	
	\$41,750	Total			\$41,750	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$610.00	\$610	60081003	51430	Longevity	\$610	60081006	52464	Repair/Maintain East Plant	\$26,688
		Reason: Anticipated surplus				Anticipated cost to cover end of year			
\$2,800.00	\$2,800	60081003	51440	Educational Incentive	\$2,800	60081006	52464	Repair/Maintain East Plant	\$26,688
		Reason: Anticipated surplus				Anticipated cost to cover end of year			
\$492.00	\$492	60081003	51920	Sick Leave Buyback	\$492	60081006	52464	Repair/Maintain East Plant	\$26,688
		Reason: Anticipated surplus				Anticipated cost to cover end of year			
\$1,265.00	\$1,000	60081003	51940	Clothing Allowance	\$1,000	60081006	52464	Repair/Maintain East Plant	\$26,688
		Reason: Anticipated surplus				Anticipated cost to cover end of year			
\$5,000.00	\$3,000	60081004	53174	Contract Services/Lab Testing	\$3,000	60085005	55014	Lab/Testing Supplies	\$2,305
		Reason: Anticipated surplus				Anticipated cost to cover end of year.			
	\$7,902	Total			\$7,902	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$26,953.00	\$500	14001101	50640	City Engineer	\$500	14001101	50700	Senior Engineer	\$14,078
		Reason: Money available due to previous vacancy				Anticipated cost to cover remainder of FY14			
\$14,590.00	\$250	60080001	50580	Assistant Chemist	\$250	60081001	50910	Head Treatment Operator	\$10,448
		Reason: Money available due to previous vacancy				Anticipated cost to cover remainder of FY14			
\$14,590.00	\$200	60080001	50580	Assistant Chemist	\$200	60085001	50910	Head Treatment Operator	\$10,455
		Reason: Money available due to previous vacancy				Anticipated cost to cover remainder of FY14			
	\$950	Total			\$950	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Board of Health				FISCAL YEAR:		FY 2014		
FROM ACCOUNT:					TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$6,341.50	\$3,500.00	15120001	50391	P / T Nurse	\$3,500.00	15120006	53180	Prof / Tech. Services	\$1,927.52	
Reason:		Funds available due to retirement			Funds will pay for contract health inspections through June					
	\$3,500.00	Total			\$3,500.00	Total				

Suspension of the Rules requested – granted

ORDERED: That the Public Facilities transfer request in the amount of \$230,000.00 to and from various accounts as noted on the attached spreadsheet to cover unanticipated expenses in an electrical utility line item, **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Public Facilities				DATE:		5/12/2014		FY: 2014
FROM ACCOUNT:					TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$50,467	\$30,000.00	60086006	52935	Solid Waste Disposal	\$30,000.00	11920006	52120	Electricity	\$204,107	
Reason:		Transfer to pay from correct account			Transfer to charge to correct account					
\$124,109	\$50,000.00	14001303	50740	Streets Equip Operator	\$200,000.00	11920006	52120	Electricity	\$204,107	
Reason:		Surplus due to vacancies			Transfer to cover underfunded costs					
\$168,371	\$90,000.00	14001503	50740	Forestry Equip Operator						
Reason:		Surplus due to vacancies								
\$198,239	\$60,000.00	11990006	51500	Fringes						
Reason:		Money available for transfer								
	\$230,000.00	Total			\$230,000.00	Total				

Suspension of the Rules requested – granted

ORDERED: That the Mayor re: transfer request in the amount of \$32,500.00 which moves funds from Undesignated to Open Space Stabilization to move funds received in FY13 from wireless antenna receipts to the Open Space Stabilization account, **APPROVED**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:								FISCAL YEAR:		2014
		FROM ACCOUNT:				TO ACCOUNT:				
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$4,851,941.00	\$32,500.00	10000	35900	Undesignated Fund	\$32,500.00	83600	32918	Stabilization-Open Space	\$820,642.22	
Reason:		To transfer annual wireless antennae payments received by the City in fiscal year 2013 to Open Space Stabilization								
	\$32,500.00	Total			\$32,500.00	Total				

Suspension of the Rules requested – granted

ORDERED: That That the Mayor's Office transfer request in the amount of \$850.00 which moves funds from Reserve for Salaries & Benefits to Executive Secretary to fund a step increase that was not factored in to the FY14 budget, **APPROVED**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Mayor						FISCAL YEAR:		FY 2014
		FROM ACCOUNT:				TO ACCOUNT:				
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$521,561.00	\$850.00	11990006	57820	Reserve for Salaries & Ben.	\$850.00	11210002	50590	Exec Secretary	\$6,380.29	
Reason:		Money available for transfer				Money needed to cover step increase for FY 14				
	\$850.00	Total			\$850.00	Total				

Suspension of the Rules requested – granted

ORDERED: That the City Council for the City of Marlborough, having voted on September 10, 1934 to accept a deed to acquire, for public playground purposes, land now known as Stevens Park, located at 20 Martin Street, Marlborough Massachusetts, and shown on the Marlborough Assessor’s Maps as Map 68, Parcel 5, which deed was recorded on October 16, 1934 at the Middlesex South District Registry of Deeds in Book 5870, Page 33, does hereby vote, by a two-thirds vote of all its members pursuant to M.G.L. c. 40, § 15A, to transfer the care, custody, management and control of Stevens Park to the Parks and Recreation Commission for park purposes permanently dedicated under the provisions of M.G.L. c. 45, § 3, **APPROVED**; adopted.

Suspension of the Rules requested – granted
ORDERED:

**A RESOLUTION
TO APPLY FOR AND ACCEPT A GRANT
FROM THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS,
FOR THE RENOVATION OF STEVENS PARK**

WHEREAS, the City Council for the City of Marlborough voted on September 10, 1934 to accept a deed to acquire, for public playground purposes, land now known as Stevens Park, located at 20 Martin Street, Marlborough Massachusetts, and shown on the Marlborough Assessor's Maps as Map 68, Parcel 5, which deed was recorded on October 16, 1934 at the Middlesex South District Registry of Deeds in Book 5870, Page 33; and

WHEREAS, by vote of the City Council on **June 16, 2014**, the care, custody, management and control of Stevens Park has been transferred to the Parks and Recreation Commission for park purposes, thereby permanently dedicating Stevens Park for park purposes;

WHEREAS, Stevens Park is a community-wide asset, and the preservation of and improvements to this facility are a priority of the city of Marlborough, as evidenced by the most recent Open Space and Recreation Plan; and

WHEREAS, Stevens Park's renovation will greatly enhance this facility with improved playground equipment, trees, benches, picnic tables, water bubbler, fencing, and a pavillion; and

WHEREAS, the main focus of this renovation is to upgrade the facility to improve its functionality and appearance; and

WHEREAS, the Commonwealth of Massachusetts' Executive Office of Energy and Environmental Affairs ("EOEEA") is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Our Common Backyards grant program; and

WHEREAS, the project cost as outlined in the application totals \$611,000 (six hundred eleven thousand dollars), with the balance of the funding being provided from the Sligo Antenna Revolving account that was approved by the City Council. The total funding is available from the FY 2014 account and the FY 2015 account.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. That the Mayor be, and hereby is, authorized to apply for and to accept an Our Common Backyard grant from EOEEA; and
2. That the Mayor be, and hereby is, authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of the Our Common Backyard grant, which is to be administered by the Recreation Commission; and
3. That this Resolution shall take effect upon its passage.

APPROVED; adopted.

Suspension of the Rules requested – granted

ORDERED: That the Grant Acceptance in the amount of \$45,451.00 from the Massachusetts Department of Transportation (MassDOT) to the Marlborough Council on Aging to cover approximately 80% of the cost to purchase an eight passenger handicapped accessible vehicle, **APPROVED**; adopted.

Suspension of the Rules requested – granted

ORDERED: That pursuant to the provisions of § 53E½ of Chapter 44 of the General Laws of the Commonwealth of Massachusetts, the City Council of the City of Marlborough, upon the recommendation of the Mayor, does, to be effective during fiscal year 2015, re-authorize a revolving fund to be utilized by the Mayor. It is further ordered that:

- (a) receipts credited to the fund shall be limited to an emergency dispatch fee due the City pursuant to its contract with Patriot Ambulance, unless otherwise directed by the General Laws; and
- (b) expenditures from said fund shall be limited to public safety training; and
- (c) the Mayor shall be the only officer authorized to approve expenditures from the same; and
- (d) no more than fifty thousand dollars shall be expended during Fiscal Year 2015, unless otherwise authorized by City Council and Mayor; and
- (e) the Mayor shall prepare a year-end report identifying funds received, funds expended, description of expenditures and year-end balance; and
- (f) no provisions of this order shall be changed unless approved by the Mayor and City Council.

APPROVED; adopted.

Suspension of the Rules requested – granted

ORDERED: That the Free Cash transfer requests in the amount of \$1,000,000.00 each which moves funds from Undesignated to Stabilization-OPEB and Undesignated Stabilization to strengthen the City's financial foundation through proactive investments to the OPEB and for an upcoming short term capital request, **APPROVED**; adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
	DEPT:	Mayor					FISCAL YEAR:	2014	
							FROM ACCOUNT:		TO ACCOUNT:
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$3,034,441.00	\$1,000,000.00	10000	35900	Undesignated Fund	\$1,000,000.00	83600	32925	Undesignated Stabilization	\$7,240,668.34
	Reason:	To increase undesignated stabilization funds							
	\$1,000,000.00	Total			\$1,000,000.00	Total			

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
	DEPT:	Mayor					FISCAL YEAR:	2014	
		FROM ACCOUNT:					TO ACCOUNT:		
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$3,034,441.00	\$1,000,000.00	10000	35900	Undesignated Fund	\$1,000,000.00	83600	32726	Stabilization-OPEB	\$4,000,000.00
	Reason:	Partial funding of OPEB							
	\$1,000,000.00	Total			\$1,000,000.00	Total			

Suspension of the Rules requested – granted

ORDERED: That the Marlborough Economic Development Corporation (MEDC) transfer request in the amount of \$513,915.00 which moves funds from Economic Development to MEDC Funding to fully fund their FY2015 operations, **APPROVED**; adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
	DEPT:	Mayor					FISCAL YEAR:	2014	
		FROM ACCOUNT:					TO ACCOUNT:		
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$687,196.72	\$513,915.00	27000099	42440	Economic Development	\$513,915.00	11740006	53950	MEDC Funding	\$0.00
	Reason:	To allow the MEDC to continue it's work in promoting the economic development of the City for FY15							
	\$513,915.00	Total			\$513,915.00	Total			

Councilor Oram requested to be recorded in opposition.

Suspension of the Rules requested – granted

ORDERED: Ordered: hat the Comp Time Payouts as noted on the attached spreadsheets,
APPROVED; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
	DEPT:	Various					FISCAL YEAR:	2014		
		FROM ACCOUNT:					TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$521,561.00	\$31,649.00	11990006	57820	Reserve for salaries	\$332.00	89000	17915	Retirement-Clerk	\$0.00	
	Reason:	Comp Time Payoff				\$343.00	11520001	50532	Personnel Assistant	\$3,925.23
					\$101.00	11520002	50775	Personnel-Sr Clerk	\$3,286.99	
					\$446.00	14001001	50630	DPW-Asst Commissioner	\$7,317.67	
					\$1,983.00	14001101	50660	Asst City Engineer	\$6,590.87	
					\$654.00	14001101	50700	Grade 2 Engineer	\$7,862.81	
					\$513.00	14001101	50710	Jr Civil Engineer	\$15,731.08	
					\$2,728.00	14001301	50660	Streets-Asst City Eng	\$6,590.85	
					\$4,032.00	14001301	50690	Streets-Foreman	\$21,462.64	
					\$18,582.00	14001303	50740	Streets-Equip Operators	\$100,593.85	
					\$149.00	14001303	50790	Streets-Dispatcher	\$3,399.78	
					\$1,302.00	14001403	50745	Fleet-Motor Repairmen	\$12,495.96	
					\$14.00	14001403	50760	Fleet-Working Foreman	\$4,362.16	
					\$470.00	14001501	50690	Parks-Foreman	\$43,270.71	
	\$31,649.00	Total			\$31,649.00	Total				

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
	DEPT:	Various					FISCAL YEAR:	2014	
							TO ACCOUNT:		
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$521,561.00	\$56,214.00	11990006	57820	Reserve for salaries	\$11,752.00	14001503	50740	Parks-Equip Operators	\$143,828.56
	Reason:	Comp Time Payoff			\$6,072.00	15120001	50390	BOH-Nurse	\$4,838.10
					\$3,113.00	60080001	50570	Sewer-Chemist	\$5,837.98
					\$169.00	60081001	50750	ETP-Equip Operators	\$4,165.32
					\$11,628.00	60081001	50850	ETP-Tr Plt Operators	\$25,233.16
					\$567.00	60081001	50910	ETP-Head Operator	\$5,909.63
					\$26.00	60085001	50750	WTP-Equip Operators	\$5,186.07
					\$5,555.00	60085001	50850	WTP-Tr Plt Operators	\$23,150.18
					\$908.00	60085001	50910	WTP-Head Operator	\$5,916.89
					\$1,354.00	61090001	50460	Water Meter Reader	\$4,165.32
					\$6,471.00	61090001	50690	Water-Foreman	\$18,439.13
					\$5,849.00	61090001	50740	Water-Equip Operators	\$107,105.32
					\$2,750.00	61090001	50780	Chief Pumping Station	\$5,365.66
	\$56,214.00	Total			\$56,214.00	Total			

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Various					FISCAL YEAR:	2014		
		FROM ACCOUNT:					TO ACCOUNT:			
Available	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available	
Balance									Balance	
\$521,561.00	\$55,599.00	11990006	57820	Reserve for salaries	\$27,075.00	14920001	50166	Recreation-Prog Mgr	\$4,273.12	
	Reason:	MMEA - Comp Time Payoff			\$11,461.00	11330002	50062	Treasurer-Finance Asst	\$14,081.10	
					\$7,048.00	14001002	50520	DPW-Principal Clerk	\$3,719.16	
					\$3,484.00	61090002	50520	Water-Principal Clerk	\$3,719.16	
					\$3,333.00	12410002	50770	Bldg-Senior Clerk	\$13,230.14	
					\$2,209.00	12410001	50370	Bldg-Plumbing Inspec	\$4,983.03	
					\$493.00	14001002	50550	DPW-Head Clerk	\$4,184.55	
					\$232.00	16100003	50860	Library-F/T Clerk	\$2,319.94	
					\$146.00	15120002	50770	BOH-Senior Clerk	\$3,180.47	
					\$118.00	16100001	50471	Library-Young Adult Libr	\$3,753.12	
	\$55,599.00	Total			\$55,599.00	Total				

Suspension of the Rules requested – granted

MOTION made by Councilor Delano to reduce amount authorized to spend to \$50,000.00 – Carries.

ORDERED: That pursuant to the provisions of § 53E½ of Chapter 44 of the General Laws of the Commonwealth of Massachusetts, the City Council of the City of Marlborough, upon the recommendation of the Mayor, does, to be effective during fiscal year 2015, re-authorize the revolving fund utilized by the Department of Public Works. It is further ordered that:

- (a) departmental receipts credited to the fund shall be limited to lease payments and fees due the City from owners of antennae and related telecommunications equipment on property that is maintained by, or assigned or transferred to be maintained by, the Department of Public Works, unless otherwise directed by the General Laws; and
- (b) expenditures from said fund shall be limited to the maintenance and related expenses for Sligo Hill and Stevens Park; and
- (c) the Commissioner of Public Works shall be the only officer authorized to approve expenditures from the same; and
- (d) no more than fifty thousand dollars shall be expended during Fiscal Year 2015, unless otherwise authorized by the City Council and Mayor; and
- (e) the Commissioner of Public Works shall prepare a year-end report identifying funds received, funds expended, description of expenditures and year-end balance; and

(f) no provisions of this order shall be changed unless approved by the Mayor and City Council.

Further, the City Council of the City of Marlborough, upon the recommendation of the Mayor, authorizes the expenditure of \$200,000.00 to match the \$200,000.00 Our Common Backyards Grant awarded to the City on April 29, 2014, along with the expenditure of \$270,745.00 in presently encumbered funds, all to be expended by the Department of Public Works in FY14/15 for the renovation of Stevens Park.

APPROVED; adopted.

Suspension of the Rules requested – granted

MOTION made by Councilor Ossing to reduce amount authorized to spend to \$50,000.00 – Carries.

ORDERED: That pursuant to the provisions of § 53E½ of Chapter 44 of the General Laws of the Commonwealth of Massachusetts, the City Council of the City of Marlborough, upon the recommendation of the Mayor, does hereby authorize a revolving fund during fiscal year 2015 for park and recreational facility maintenance and improvement purposes to be administered through the Department of Public Works. It is further ordered that:

(a) departmental receipts credited to the fund, unless otherwise directed by the General Laws, shall be limited to: 1) payments, fees and/or rental income due the City from owners of antennae and related telecommunications equipment located or co-located at the wireless communications facility situated on property under the care, custody, management and control of the Department of Public Works at the Easterly Wastewater Treatment Plant at 860 Boston Post Road in Marlborough or any land adjacent thereto; and 2) lease payments and fees due the City from owners of antennae and related telecommunications equipment located on Fairmount Hill; and

(b) that expenditures from said fund shall be limited to the maintenance and improvement of municipal parks and municipal recreational facilities; and

(c) that the Commissioner of Public Works shall be the only officer authorized to approve expenditures from the fund; and

(d) no more than fifty thousand dollars shall be expended during Fiscal Year 2015, unless otherwise authorized by the City Council and Mayor; and

(d) the Commissioner of Public Works shall prepare a year-end report identifying funds received, funds expended, description of expenditures and year-end balance; and

(e) no provisions of this order shall be changed unless approved by the Mayor and City Council.

APPROVED; adopted.

Suspension of the Rules requested – granted

ORDERED: That pursuant to Chapter 44, section 31D of the General Laws of the Commonwealth of Massachusetts, which authorizes the City to incur liability and make expenditures for any fiscal year in excess of appropriation for snow and ice removal, the City Council of the City of Marlborough, upon the recommendation of the Mayor, approves expenditures up to \$1,000,000 in excess of available appropriation for snow and ice removal for fiscal year 2015, **APPROVED**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:07 PM.